

**ROBERT T. KIRKWOOD, INC.**  
INSURANCE  
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March 17, 2016

NBIS  
800 Overlook III  
2859 Paces Ferry Road SE  
Atlanta, GA 30339-5733

Attn.: William C. Tepe, President

Dear Mr. Tepe:

We never know when and where the next disaster will occur, and it is impossible to be fully prepared for that memorable phone call from an insured.

When news of the recent crane collapse in lower Manhattan hit the airwaves, we instantly got that dreaded "Oh, No" insurance feeling in our gut! Was one of our insured's involved? Unfortunately, the answer this time was "Yes."

The crane collapsed at 8:23 A.M. on February 5. News of the collapse hit the news wires by 8:40. By 8:45, we knew that one of our insureds was involved in the loss. We called the NBIS 24/7 emergency claim number by 8:50 A.M. Immediately afterward, we notified our NBIS underwriters about the accident. As it turns out, they already knew from their extensive industry network that our insured was involved.

Our NBIS underwriters expedited notification to senior management and the NBIS claim response was triggered.

Within minutes, Billy Smith and his claim team had assigned claim numbers, had assigned senior, experienced adjusters, and had the adjusters on full alert for information as it broke. Behind the scenes, the response team was mobilized. The entire team flew into New York City overnight Friday from various parts of the country.

By early Saturday morning, February 6, Billy Smith had arranged for a meeting of our team at the site of the crane collapse. A command post was set up in the building that was involved in the accident. By the time we arrived for the 8:00 A.M. meeting, engineering drawings for the intended crane work were posted all over the walls. Everyone was present. NBIS was set for action.

The NBIS legal team was present. The legal team was comprised of attorneys who were experienced with crane disasters, local litigation, and had contacts with the New York City District Attorney's office. These were not law school newbies.

In addition, NBIS retained an outside expert in experienced large property damage claims. He would be assigned the task of collecting information regarding property damage to buildings, to businesses located in damaged buildings, damaged cars, and damages to the City's street and sidewalk infrastructure.

A leading metallurgical forensic engineering firm was retained and present. In fact, as we met upstairs, the engineering firm had somehow negotiated its way through New York Police Department and New York Fire Department bureaucrats to begin the testing of the steel on the boom even as the City was pushing for cleanup and removal of the boom from the street. They actually were able to negotiate a modest delay in removal work to permit the firm to conduct tests.

During the meeting, issues were identified, instructions given, and the claim process was fully underway.

Without blinking an eye, NBIS became the resource center for all of the various excess liability insurers. Those insurers continue to rely on the information gathering and expert adjusting services provided by NBIS in this accident. Some of the insurance companies involved in the incident simply "called it in." They were content to handle this accident in their customary remote manner via computer screen.

At a time where insurance agents and brokers struggle to get insurers to respond to claims in a timely and professional manner, the expedited response by NBIS was truly remarkable. Having NBIS on our side and supporting our insured with this level of professionalism renewed our faith in our industry's product.

Very truly yours,

ROBERT T. KIRKWOOD, INC.



Robert C. Kirkwood

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